should dispose of at least forty contested suits. In order to attain this standard, officers would pick out forty simple cases and dispose of them. This rule thus furnished no test of a man's capacity.

The member referred, in conclusion, to the appointment of Panchayat Judges. They should always be persons acquainted with law. It was an entirely futile system to appoint as Panchayat Judges persons who were illiterate and ignorant.

DEWAN'S REPLY:—Mr. Raman Pillai, I shall give a collective reply after hearing all members who wish to represent their views in respect of administration of justice in Travancore.

28. Hardships caused to the public by irregularities in the working of the civil courts and remedies therefor.

MR. K. KESAVAN UNNITHAN (*Member, Kunnathur taluk*) made the following suggestions touching the administration of civil justice.

First, the jurisdictions of Munsiffs' courts should be revised. The present distribution of Munisiffs' courts was based merely on area as revealed by the survey plan. The facilities or the difficulties of communication in the several taluks were given the go-by completely. The jurisdictions of all Munsiffs' courts should be so revised as to secure an even distribution of work among the officers and to lighten the difficulties of the public. A special committee might be appointed to go into the question. If that was not feasible, one of the judges of the High Court might be entrusted with the work.

The second suggestion related to adjournment of sales in execution of decrees. In case a Munsiff or a judge was absent on the date fixed for a sale or in case the court was not, for some other reason, sitting on that day, the sale should, either on the day on which the officer went on leave or on the day on which the court was next sitting, be adjourned to a day within the limit of seven days contemplated in Order XXI, Rule 67 (2) of the Civil Procedure Code.

Thirdly, the head ministerial officer of a court should be authorised to commit to Jail judgment-debtors arrested on warrant. There was an old circular allowing this; that circular should be restored. Under the existing rules such persons could be committed to prison only by munsiffs or judges. This was not desirable.

Fourthly, stringent instructions should be issued from the High Court to the lower courts for the due enforcement of Rules 10 to 12 of Order XVI of the Civil Procedure Code, relating to failure of witnesses to comply with summons issued to them.

Fifthly, in regard to the posting of cases, only as many cases should be posted for a day as could be heard on that day. Witnesses attending on a day should be examined the very same day, and if this was not possible, they should be examined continuously on succeeding days. Rule 514 of the Civil Courts' Guide should be strictly enforced for this purpose.

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Sixthly, when more than 25% of the cases decided by an officer were remanded or set aside by a superior court, the promotion of that officer should be barred or he should be punished otherwise. On the other hand, officers in whose case such defects were not discovered should be given promotions and otherwise encouraged, irrespective of their service, caste or religion.

Seventhly, the time-limit within which courts should frame issues, after the defendant had filed his written statement, should be definitely fixed.

Eighthly, where a party had paid process fees and such fees had not been spent, it should be utilised for new processes, provided the party applied for the utilisation of the money for the new processes before the amount had lapsed.

Ninthly, each court should be authorised to appoint two or three persons, in addition to the persons already competent under the rules, to attest affidavits. This should be allowed at least in places where there were no Bench Magistrates' courts and Panchayat courts.

Tenthly, in order to suppress corrupt practices prevailing in courts, the pay of subordinate officers should be enhanced or efficient officers should alone be appointed as presiding officers.

DEWAN'S REPLY: Mr. Kesavan Unnithan, I will give you a reply on your points, after all the members who wish to speak on the subject, have spoken.

29. Need for a Munsiff's Court and a Magistrate's Court at Pattanamtitta.

MR. P. S. KESAVA PILLAI (*Member, Pattanamtitta taluk*) prefaced his representation by referring to the importance of his taluk in the matter of extent, population, trade and business.

The one great drawback in the taluk was the absence of a Munsiff's court. A District Munsiff's court could well be established in the place, and in addition to the pakuthies in the taluk, the court could be given jurisdiction over the Pantalam Thekkekara pakuthi in the Mavelikara taluk, the Kodumon Pakuthi in the Kunnathur taluk and the Mullapuzhasseri and Airur Pakuthies in the Tiruvalla taluk.

The need for a separate Magistrate's court was equally urgent. Revenue and magisterial functions were combined and vested in the Tahsildar of the taluk. But the Tahsildar could hardly find sufficient time to devote to both these functions. He had to be on circuit for twenty days in the month and had to attend to manifold revenue matters. It was impossible therefore that he could do justice to his magisterial work. The establishment of a separate Magistrate's court was therefore absolutely necessary. If for any reasons the above proposals were not considered feasible, the Tahsildar might be divested of his magisterial powers and a Munsiff-Magistrate might be appointed for the taluk.

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